In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 15141 of 2006
Date of Decision: September 21, 2006

Smt. Kamla Devi

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Ajit Malik, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

This petition filed under Article 226 of the Constitution prays for issuance of a writ in the nature of mandamus directing the respondents to grant/release family pension to the petitioner under the Family Pension Scheme of 1964 as applicable to the employees of the State of Haryana, w.e.f. 23.6.1967 i.e. the date when she became eligible for family pension on account of death of her husband, who died on 22.6.1967. A further prayer has also been made to direct the respondents to decide the legal notice dated 27.2.2006 (P-2) and to release arrears of family pension w.e.f. 23.6.1967 till date with interest @ 24% per annum with all consequential benefits.

Before approaching this Court, for the relief claimed in the instant petition, the petitioner has already sent two legal notices dated 31.7.2003 and 27.2.2006 (P-1 and P-2) to the respondents.

Without going into the merits of the case, we deem it just and appropriate to direct the respondents to take cognizance of the legal notices, dated 31.7.2003 and 27.2.2006 (P-1 and P-2) sent by the petitioner and decide the same expeditiously preferably within a period of four months from the date a certified copy of this order is presented to them. If the claim of the petitioner is found to be meritorious and decided in her favour then the benefit accruing to her shall be disbursed within a further period of three months thereafter. It shall be appreciated if a speaking order is passed.

Petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

September 21, 2006
Pkapoor